



COUNTY OF HUMBOLDT

Legislation Text

File #: 22-836, Version: 1

To: Board of Supervisors

From: County Counsel

Agenda Section: Consent

SUBJECT:

Attorney-Client Fee Agreement with Gordon-Creed, Kelly, Holl, Angel & Sugerman, LLP Regarding the Provision of Legal Services Related to Representation of the Humboldt County Department of Health and Human Services in Connection with Juvenile Dependency Appellate Litigation on an As-Needed Basis (4/5 Vote Required)

RECOMMENDATION(S):

That the Board of Supervisors:

1. Approve, and authorize the Interim County Counsel, or a designee thereof, to execute, the attached attorney-client fee agreement with Gordon-Creed, Kelly, Holl, Angel & Sugerman, LLP regarding the provision of legal services related to the representation of the Humboldt County Department of Health and Human Services in connection with juvenile dependency appellate litigation on an as-needed basis (4/5 vote required); and
2. Direct the Clerk of the Board to return one (1) certified copy of the Board Order pertaining to this item to the Humboldt County Counsel's Office.

SOURCE OF FUNDING:

Social Services Fund (1160)

DISCUSSION:

The Humboldt County Counsel's Office represents the Humboldt County Department of Health and Human Services ("DHHS") in juvenile dependency matters. Representing DHHS includes responding to juvenile dependency appeals. The attorney who specialized in responding to juvenile dependency appeals is no longer working for County of Humboldt and the County Counsel's Office now has two (2) vacant positions. There are currently six (6) juvenile dependency appeals pending before the First District Court of Appeal. On average, the County Counsel's Office handles two (2) juvenile dependency appeals per month. Due to the significant increase in volume of juvenile dependency cases and because juvenile dependency appeals require a rapid response, it may not be possible for the County Counsel's Office to keep up with the appellate work.

The law firm of Gordon-Creed, Kelly, Holl, Angel & Sugerman, LLP ("GKHAS") has experience in handling overflow juvenile dependency appeals for public entities. In 2018, the County of Humboldt

entered into a similar agreement with GKHAS, previously Gordon-Creed, Kelly, Holl & Sugerman, LLP, regarding the provision of legal services related to the representation of DHHS in connection with juvenile dependency appellate litigation due to vacancies in the County Counsel's Office.

Accordingly, the County Counsel's Office recommends that the Board approve, and authorize the Interim County Counsel, or a designee thereof to execute, the attached attorney-client fee agreement with GKHAS regarding the provision of legal services related to the representation of DHHS in connection with juvenile dependency appellate litigation on an as-needed basis.

FINANCIAL IMPACT:

The legal services provided pursuant to the terms and conditions of the attached attorney-client fee agreement with GKHAS will be compensated at hourly rates ranging from \$130 to \$325 per hour. Expenditure appropriations related to the attached attorney-client fee agreement with GKHAS have been included in the proposed fiscal year 2022-23 budget for DHHS - Social Services budget unit 1160 -508. As a result, approval of the attached attorney-client agreement with GKHAS will not impact the Humboldt County General Fund.

STRATEGIC FRAMEWORK:

The recommended actions support the Board of Supervisors' Strategic Framework by enforcing laws and regulations to protect residents.

OTHER AGENCY INVOLVEMENT:

Humboldt County Department of Health and Human Services

ALTERNATIVES TO STAFF RECOMMENDATIONS:

The Board may choose not to approve the attached attorney-client fee agreement with GKHAS regarding the provision of legal services related to the representation of DHHS in connection with juvenile dependency appellate litigation on an as-needed basis. However, this alternative is not recommended since it will severely impact County Counsel's ability to provide adequate legal services.

ATTACHMENTS:

1. Attorney-Client Fee Agreement with Gordon-Creed, Kelly, Holl, Angel & Sugerman, LLP Regarding the Provision of Legal Services Related to Representation of the Humboldt County Department of Health and Human Services in Connection with Juvenile Dependency Appellate Litigation on an As-Needed Basis

PREVIOUS ACTION/REFERRAL:

Board Order No.: C-9
Meeting of: 06/26/2018
File No.: N/A